

E-FILED on 2/18/08

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ROBERT SCHMIDT and THOMAS WALSH,

Plaintiffs,

v.

LEVI STRAUSS & CO., LAURA LIANG, and
DOES 1 through 50, inclusive,

Defendants.

No. C-04-01026 RMW

SCHEDULING ORDER GRANTING
MOTION FOR ADMINISTRATIVE RELIEF

[Re Docket No. 205]

On February 6, 2008, the court scheduled various case management dates, including setting trial for May 27, 2008. Defendants Levi Strauss & Co. ("Levi") and Laura Liang ("Liang") had proposed a later trial date in November.

Plaintiffs Robert Schmidt ("Schmidt") and Thomas Walsh ("Walsh") have now moved *ex parte* to continue various case management dates because of the "necessity that plaintiffs' lead trial counsel withdraw." *See* Docket Nos. 203, 207, C-04-01026-RMW (N.D. Cal. Feb. 14 & 15, 2008). Schmidt and Walsh's motions argue that the withdrawal of their trial counsel has prejudiced their ability to present their case and suggest that the court adopt the case management schedule proposed by Levi and Liang at the case management conference on February 6, 2008.

1 Levi and Liang meanwhile filed the instant motion for administrative relief regarding the
2 filing of expert disclosures in light of the motion to continue various case management dates. They
3 propose that they lodge their expert reports with the court on February 20, 2008, as required by the
4 court's recent case management order, but not serve the expert reports on Schmidt and Walsh until
5 the court decides the motion to continue the trial date. Levi and Liang also indicate that they intend
6 to oppose the motion to continue the case management schedule, though they have not yet done so.

7 The court agrees that lodging the expert reports with the court is the most appropriate way to
8 handle the current situation. Accordingly, Levi and Liang's motion for administrative relief is
9 granted. The court is hopeful that the pending substitution of counsel signals a fresh start and will
10 enable this case to proceed to trial in an orderly manner.

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13 DATED: 2/18/08



RONALD M. WHYTE
United States District Judge

1 Notice of this document has been electronically sent to:

2 **Counsel for Plaintiffs:**

3 Joseph Heathcliff Ainley JAinley@popelka.com
4 Franklin Edward Bondonno fbondonno@popelka.com
5 Jeffry William Lochner jlochner@popelka.com
6 Philip Edward Kay phil@nosexualharassment.com

7 **Counsel for Defendants:**

8 Adi Herzberg aherzberg@gibsondunn.com
9 Rebecca Justice Lazarus rjustice@gibsondunn.com
10 Sheila Marie Pierce sheila.pierce@bingham.com
11 Erin E. Schneider eschneider@gibsondunn.com
12 Austin Van Schwing aschwing@gibsondunn.com
13 Jeffrey Alan Leon jleon@leonandleon.com

14
15 Counsel are responsible for distributing copies of this document to co-counsel that have not
16 registered for e-filing under the court's CM/ECF program.

17 **Dated:** 2/18/08

18 TSF
19 **Chambers of Judge Whyte**